United Nations S/PV.6202

# Security Council

Sixty-fourth year

*Provisional*

**6202**nd meeting

Thursday, 15 October 2009, 3.40 p.m.

New York

| | | |
|---|---|---|
| *President:* | Mr. Le Luong Minh | (Viet Nam) |
| *Members:* | Austria | Mr. Kyrle |
| | Burkina Faso | Mr. Koudougou |
| | China | Mr. Liu Zhenmin |
| | Costa Rica | Mr. Urbina |
| | Croatia | Mr. Vilović |
| | France | Mr. Araud |
| | Japan | Mr. Takasu |
| | Libyan Arab Jamahiriya | Mr. Dabbashi |
| | Mexico | Mr. Heller |
| | Russian Federation | Mr. Churkin |
| | Turkey | Mr. Apakan |
| | Uganda | Mr. Rugunda |
| | United Kingdom of Great Britain and Northern Ireland | Mr. Parham |
| | United States of America | Ms. DiCarlo |

## Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2009/497)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-506.

09-55956 (E)

**Please recycle**

*The meeting was called to order at 3.45 p.m.*

**Adoption of the agenda**

*The agenda was adopted.*

**Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)**

**Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2009/497)**

**The President**: I should like to inform the Council that I have received a letter dated from the representative of Serbia in which he request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

*At the invitation of the President, Mr. Jeremić (Serbia) took a seat at the Council table.*

**The President**: On behalf of the Council, I extend a warm welcome to His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia. I should like to acknowledge the presence at the Council table of the Vice Federal Minister for European and International Affairs of Austria, His Excellency Mr. Johannes Kyrle. On behalf of the Council, I extend a warm welcome to him.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Lamberto Zannier, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo.

It is so decided.

I invite the Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Skender Hyseni.

It is so decided.

I invite Mr. Hyseni to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Security Council is meeting in accordance with the understanding reached in its prior consultations. Members have before them document S/2009/497, which contains the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo. At this meeting, the Security Council will hear a briefing my Mr. Lamberto Zannier, to whom I now give the floor.

**Mr. Zannier**: The report you have before you today (S/2009/497) details the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) from 1 June to 15 September 2009. The period following the conclusion of the Mission's reconfiguration on 30 June has been one of consolidation and readjustment for UNMIK, reflecting the evolving realities on the ground. UNMIK has now become a more compact and more politically focused mission within the remit of its mandate under Security Council 1244 (1999).

As this Council is aware, political realities have substantially affected the implementation of UNMIK's administrative role. Consequently, the Mission has concentrated its efforts on crucial tasks that we are well suited to perform: addressing the concerns of minority communities in order to foster confidence; promoting dialogue in order to foster reconciliation; and addressing external relations issues with non-recognizing States, including facilitating Kosovo's participation in regional and international processes, in order to foster economic development and regional cooperation. Our guiding principle is to ensure Kosovo's lasting security and stability and the security and stability of the region.

Although conditions remained generally stable during this period, the situation in northern Kosovo remains an issue of concern, with the potential to destabilize other parts of Kosovo if not kept in check. In this regard, I am pleased to report that UNMiK's presence and efforts, together with those of the Kosovo

Force (KFOR), the European Union Rule of Law Mission (EULEX) and the Organization for Security and Cooperation in Europe (OSCE), have so far contributed to preserving a fragile stability. Notably, in August, when the situation threatened to get out of hand, UNMIK helped the parties in the northern Mitrovica suburb of Kroi i Vitakut/Brdjani to reach a compromise on the issue of reconstruction of Kosovo Albanian houses damaged in the conflict, and construction of new Kosovo Serb houses. Over the summer, I visited Mitrovica twice to meet with local leaders and emphasized that returns should not be politicized, but should be the result of a balanced and properly regulated process that does not create new tensions and resentments.

In spite of a modest increase in the overall numbers, returns remain far below the level we would hope to see. We know that displaced families from all communities wish to reclaim their lost lives and begin anew, and I believe the United Nations can play an even more active role in supporting them. I have therefore tasked our Office of Community Support and Facilitation to work closely with the Office of the United Nations High Commissioner for Refugees (UNHCR) and develop contacts with Belgrade in order to further returns. Priština authorities insist that they are committed to a multiethnic Kosovo and I encourage them to develop incentives for sustainable returns and address security concerns relating to internally displaced persons (IDPs). And they can count on UNMIK's support and assistance.

In that regard, I have met with local authorities and the Kosovo Roma, Ashkali and Egyptian (RAE) leadership in Mitrovica on the long pending issue of the RAE IDP camps located there. To support the plans of the Kosovo institutions to address the issue, I have established a Coordination Group, which I am chairing, composed of UNMIK experts and the United Nations Kosovo Team, with the participation of the European Commission Liaison Office. Our aim is to speed up the closure of the camps and ensure the sustainable relocation of their residents.

The Kosovo political landscape is currently dominated by decentralization and the upcoming municipal elections scheduled for 15 November. Kosovo Serb views on these two issues range from outright rejection to engagement. Since the Secretary-General's report before you was drafted, the Kosovo authorities have decided that, as part of their decentralization programme, four new municipalities with Kosovo Serb majorities are to be established following these municipal elections. These elections will be the first organized by the Kosovo institutions since the declaration of independence in February 2008.

While there has been little, if any, support for decentralization or the 15 November vote among the Kosovo Serb leaders in the three northern municipalities, a number of Kosovo Serb community leaders south of the Ibar River have openly called for participation in the upcoming elections. Putting status considerations aside, I personally believe that greater participation in Kosovo's local structures could benefit all of Kosovo's communities and foster the development of multi-ethnic local institutions, leading to stronger protection of minority rights and encouraging returns.

In this regard, the return of Kosovo Serbs to their posts within the Kosovo Police Service has been a welcome development, reinforcing the multi-ethnicity of and promoting community confidence in the police. I am disappointed, however, that efforts to develop cooperation in other practical areas between Pristina and Belgrade have been less successful. Kosovo authorities have distanced themselves from an agreement on police cooperation between EULEX and the Serbian Interior Ministry. I therefore urge pragmatism and compromise so that fully functioning multi-ethnic courts and customs points in northern Kosovo can be re-established and life for all of Kosovo's communities normalized.

In particular, cooperation in the important area of cultural heritage has been greatly reduced since Kosovo's declaration of independence. UNMIK stands ready to play a role with Belgrade, Pristina and the European Union to help protect and preserve the cultural heritage of Kosovo and the patrimony of the Serbian Orthodox Church there.

Similarly, both Belgrade and Pristina need to work harder so that the technical dialogue working group on missing persons, chaired by the International Committee of the Red Cross, can meet the expectations of the families whose loved ones are still missing. Ten years after the conflict, the bodily remains of more than 3,000 individuals have been identified and returned to their families, but the fate of 1,885 missing persons is still unknown. People with knowledge of the facts need to heed the repeated calls to come forward

and divulge this information so that families can achieve closure and Kosovo's communities can continue the process of reconciliation. In this regard, I also urge the international community to ensure that there are sufficient resources available to continue this important work.

In a broader context, I am pleased that UNMIK's facilitation has enabled Kosovo's participation in important international and regional forums and processes, which would not otherwise have been possible. Resolution 1244 (1999) requires Kosovo's representation under the United Nations banner. It is clear that the Kosovo authorities would prefer to participate on their own, without UNMIK having to facilitate their presence. On the other hand, there are significant benefits accruing to Kosovo by participation, without prejudice to their stand on status and in line with our own status-neutral stance. Accordingly, UNMIK does not attend without the participation of the representatives of Kosovo's institutions, nor does it speak on their behalf.

The last time I addressed this Council, I noted that the Kosovo and Serbian authorities alike were increasingly concerned as to how their actions might influence the International Court of Justice's advisory opinion on the legality of Kosovo's declaration of independence. Actions by Pristina and Belgrade continue to be aimed at bolstering their respective legal positions before the Court. As a consequence, our role, although aimed at promoting pragmatic solutions to existing problems, has not been an easy one to play. For instance, most recently, the Kosovo Ministry of Justice has announced that it is taking over the processing of international legal assistance requests involving non-recognizing countries and institutions, a task being performed by UNMIK as part of our own facilitation efforts.

In fact, UNMIK is inextricably caught between the differing perceptions of Belgrade and Pristina. While Belgrade expects a robust UNMIK role, the Pristina authorities believe that UNMIK's job is done, although I detect some acknowledgement that there are areas where we can usefully work together, and UNMIK continues to enjoy cooperation at the working level with representatives of the Kosovo institutions in many relevant areas.

Nevertheless, not having been able to obtain the closure of the Mission, members of the Government in Pristina have avoided any official contact with me during the past few months. I am pleased to report, therefore, that immediately prior to my departure for New York, I was invited by President Sejdiu for a long and cordial meeting. I was encouraged by this contact and hope that it will continue.

Kosovo continues to present both challenges and opportunities for UNMIK. UNMIK aims to help restore full normality in Kosovo so that all of its people may have better lives in a stable and peaceful region. While that goal is ambitious, I am convinced that, together with Pristina and Belgrade and our international partners, as well as with the support of this Council, UNMIK can meet it.

**The President**: I thank Mr. Zannier for his briefing.

I now give the floor to His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia.

**Mr. Jeremić** (Serbia): I thank you, Sir, for convening this meeting of the Security Council.

Once again, we are gathered to discuss the situation in the Serbian province of Kosovo. I would like right at the outset to express my country's deep gratitude to the substantial majority of United Nations Member States that respect Serbia's sovereignty and territorial integrity. The expressions of solidarity we have received from all over the globe encourage us to persevere in our efforts to resolve the future status of Kosovo peacefully and in a way that is acceptable to all responsible stakeholders.

Our principled position on our province's future status remains the same. Serbia will never recognize the unilateral declaration of independence by the ethnic Albanian authorities in Pristina on 17 February 2008. This remains our political, moral and legal obligation. It is also our democratic duty, for our nation is united as one on this fundamental point. The Kosovo case is a significant test for the world community, for there is a choice to be made here between unilateralism and consensus. The unilateral declaration of independence is a challenge that we must work together to overcome, for the sake of peace and stability and in the name of international law.

The General Assembly tasked the International Court of Justice to determine whether the unilateral declaration of independence conforms to international law. The crucial stage in the legal process is just about

to begin. This is the first time in history that the Court will rule on the legality of an attempt at secession by an ethnic group from a United Nations Member State in peacetime. It is also the first time that all five permanent members of this Council will participate in a proceeding before the Court. The total number of actors that will present their views in The Hague is a record for the Court, exceeding even the figure in the cases involving the legality of the use of nuclear weapons. There is therefore little doubt that the Court's conclusions will have overarching consequences for the international legal order.

It is in this context that Serbia appeals to all United Nations Member States to respect the fact that the International Court of Justice is actively considering the issue of the unilateral declaration of independence. It is our shared duty to ensure that the Court's deliberations are not prejudged. The Court's proceedings should be allowed to run their course, unhindered by political pressures, such as further recognitions of Kosovo's unilateral declaration of independence.

I would like to welcome the presence of Special Representative Lamberto Zannier, and wish to underline the Secretary-General's assertion in paragraph 2 of the report before the Council (S/2009/497) that the United Nations Mission in Kosovo (UNMIK) "has successfully conclu[d]ed its reconfiguration ... as at 1 July". It has now reached the end-state of its draw-down.

The United Nations remains an indispensable actor in Kosovo. It is therefore critical that this Council continue to support UNMIK's presence as a crucial pillar of peace and stability. The exercise of UNMIK's external representation function remains especially important. Its role is critical if regional groups, such as the Central European Free Trade Agreement and the Regional Cooperation Council, are to function in accordance with established procedures.

Moreover, the United Nations ability to work effectively with the European Union Rule of Law Mission in Kosovo (EULEX) must remain unconstrained. That is why it is important for the amendments adopted by the General Assembly to the UNMIK budget for the next fiscal year be fully applied and for all vacant positions to be filled as soon as possible.

Serbia strongly believes that disagreements on status must not impede the determination to act together on improving the lives of all the residents in the province. We have proactively worked with all legitimate actors on the ground in Kosovo, while ensuring our constitutional red lines are not crossed.

I am pleased that the report commends Belgrade's policy of constructive engagement by acknowledging our "pragmatic approach" to the resolution of practical issues.

Commitments made in this Chamber should be honoured. What is agreed to and welcomed by the Security Council must be implemented in full — from resolution 1244 (1999) to the Secretary-General's six-point plan, to which I will now turn. I begin with the police, where I wish to highlight two important developments that took place during the reporting period in applying this crucial segment of the Secretary-General's plan.

First, virtually all Kosovo Serb police officers returned to their posts as a direct consequence of our engagement. This has contributed to an improvement in the security situation throughout the province — especially in the Serbian enclaves in the south.

The second important development concerns the signing of the Protocol on Police Cooperation between the Serbian Ministry of the Interior and EULEX. The Protocol is based on the best practices of our longstanding cooperation with UNMIK police forces on these matters. It is entirely status-neutral and fully conforms to resolution 1244 (1999). Its implementation will greatly contribute to the fight against organized crime and terrorism in Kosovo — an area that continues to be the hub of a sinister international network of arms, drugs, and human traffickers.

Regarding the judiciary, despite some constructive preliminary discussions with UNMIK and EULEX, we have regretfully not been able to move forward on issues such as determining the territorial jurisdiction of the District Court in Mitrovica, the appointments of judges and prosecutors designed to reflect the ethnic communities they would serve, and the applicability of UNMIK law. It is our hope that our talks will intensify in the time ahead, for consensual solutions must be found, in accordance with the provisions of the November 2008 report.

On a number of other fronts, cooperation has deepened. For example, special EULEX prosecutors and Serbia's war crimes prosecutors have intensified collaboration on serious cases. These include organ harvesting committed by the Kosovo Liberation Army on ethnic Serb civilians in the well-publicized "yellow house", and the infamous KLA-run jails and liquidation centres in places like Klečka in the Lipljan municipality.

With respect to the delicate matter of customs, we have also achieved some results. Technical cooperation between Belgrade and EULEX has proceeded smoothly, as information is exchanged regularly on topics of mutual concern, such as smuggling. However, progress on the important issue of revenue collection and how it will benefit the relevant communities has been more limited. We hope that, in the months ahead, we can come to workable arrangements with our UNMIK and EULEX partners, within the framework endorsed by this Council in November 2008.

Concerning administrative lines and security, I would like to acknowledge the useful role played by the International Security Force in Kosovo (KFOR). Serbia will continue to act as its reliable partner, in accordance with resolution 1244 (1999) and the Kumanova Military-Technical Agreement.

KFOR's status-neutral presence in the province is still required in order to protect Kosovo Serb enclaves and our holy sites from threats, incursions and attacks. According to Annex I of the report before us this afternoon, a handover of responsibility from KFOR to the Kosovo Police is being envisaged at the Gazimestan Monument in honour of our martyred heroes. Serbia strongly opposes such plans. Gazimestan is hallowed ground for the Serbian nation. KFOR has done an exemplary job in protecting it. It is critically important that they continue to guard it, together with other holy sites.

Concerning transportation and infrastructure, the Serbian Government has worked hard to resolve pressing electrical energy issues. As a result of our active engagement with UNMIK and the OSCE, the disconnection policies that discriminated against the Kosovo Serb community, as highlighted in the report, have been rectified. Consequently, a vast majority of Serbian enclaves and monastic communities in the south have had their power restored.

Yet the critically important issue of facilitating the entry and transport of Serbian officials into the province remains unresolved. It is difficult to imagine how we can positively contribute to developments on the ground, if our ability to work closely with the Kosovo Serb community throughout the province is hindered. We must find a way to overcome this obstacle in a status-neutral manner, consistent with resolution 1244 (1999).

Regarding Serbian patrimony — the last of the six points — we salute UNMIK's efforts to "achieve durable solutions for the protection of Serbian cultural heritage in Kosovo," (S/2009/497, para. 9), as well as its good-faith attempts to work with other legitimate stakeholders in this sensitive field.

The Serbian Government and the Serbian Orthodox Church have fully supported the renewal and restoration of our holy sites, conducted under the auspices of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Reconstruction Implementation Commission chaired by the Council of Europe.

Unfortunately, the precarious state of Serbian patrimony remains a deeply troubling part of the reality on the ground in Kosovo. For instance, local officials in the town of Dečani continue to defy the international community. They have repeatedly refused to restore the cadastral record of land belonging to the monastery of Visoki Dečani — a UNESCO World Heritage Site that has been placed on its List of World Heritage in Danger.

Judges have been intimidated in connection with this case, while a public disinformation campaign orchestrated by KLA War Veterans Association claimed that the monastery represents centuries-old Albanian cultural heritage that was taken over by the Serbs in the 19th century. It is deeply regrettable that no one from Priština has chosen to condemn such dangerous distortions, and set the record straight once and for all.

In August of this year, the whole-scale pillaging of the largest medieval hermitage complex in the mountains above our ancient capital of Prizren took place. This unique and now abandoned monastic centre was built by the Serbian ascetic Saint Peter of Korisha, and dates back to the early decades of the 13th century. Frescos were damaged and altars were vandalized. In one of the pictures taken at the scene, we see carved into a wall the acronym "UCK" — meaning the Kosovo Liberation Army.

The extent of the material damage is still being documented. What is beyond dispute is that the perpetrators have succeeded in debasing our faith and destroying yet another part of our patrimony. Unfortunately, the authorities claim they have no leads, and no arrests have been made.

Ethnic Albanian authorities are still refusing to reconsider the outrageous decision to pave over with concrete the remains of the twice-destroyed Serbian church in the centre of Đakovica — thus compounding physical destruction with the attempt to erase every trace of its existence.

This is the third time I raise the issue in this Chamber. Is it possible that the international community is powerless to get this awful deed reversed? Do we have the will to undo this act of cultural cleansing? Once again, we ask for your help.

It is our assessment that our UNMIK and EULEX partners share our determination to constructively engage in overcoming these challenges. Let me underline the great importance of our common status-neutral approach for moving forward on a whole host of concrete matters. We invested great efforts in building up this solid basis for our cooperation.

Regretfully, Kosovo's ethnic Albanian authorities have not demonstrated enthusiasm to embrace the status-neutral framework for dealing with unresolved practical issues. We believe this reticence does no one any good. All parties have their constraints. But these must not harm those who matter the most, the residents of the province.

Last time we met, I called on everyone to concentrate on improving the lives of citizens, instead of making them the victims of our disagreements. I proposed that we focus on the central humanitarian issue of internally displaced persons (IDPs). The report before us speaks of the upsetting consequences of a failure to engage on this issue in good faith. A total of only 31 of the more than 200,000 Kosovo Serb IDPs were able to return to the province during the reporting period, out of the thousands that expressed a concrete interest in doing so in the weeks following our most recent meeting in this Council. Serb IDPs have been informed in writing by various local authorities that they cannot come back home. This must not be allowed to stand.

The denial of the right of return to Kosovo Serb IDPs took place against the backdrop of tensions in the northern village of Brdjani. The ethnic Albanian authorities insisted on going ahead with the construction of new, unauthorized settlements. Breaking their agreement with EULEX, they dispatched a special operations police unit, called the Regional Operational Support Unit, to support the illegal construction of Kosovo Albanian dwellings in Brdjani, only to pull it back at the last minute under intense pressure from the international community. In short, while Priština insists that ethnic Albanians settle in new areas, their local authorities actively prevent Kosovo Serb IDPs from going back to their homes in the south.

As the report indicates, Priština called for some local elections to be held on 15 November. Unfortunately, the legitimacy of the entire electoral process has been compromised by the failure to hold them within the status-neutral framework of resolution 1244 (1999). According to the report before us (S/2009/497), the Special Representative of the Secretary-General did not call them, the OSCE will not monitor them and the United Nations cannot certify them. Under such circumstances, it is simply impossible for us to support them.

The situation is deeply regrettable. An opportunity was missed to de-politicize this vitally important issue. Had a choice been made to work in concert instead of at cross-purposes, perhaps we could have paved the way for a properly incentivized Kosovo Serb community to actively participate in this process.

It is now imperative that we focus our energies on finding a way forward. As has always been the case, we remain in favour of establishing a system of functional decentralization acceptable to the non-Albanian communities directly concerned. We stand ready to engage through a status-neutral organization — the OSCE, for example — to create a legitimate decentralization package designed to succeed.

In a few days, the Republic of Serbia will celebrate the sixty-fifth anniversary of the liberation of our capital from the fascists. That liberation marked the end of a brutal occupation that had forcefully partitioned our country among the Axis countries and their collaborators and brought profound misery to our people. A great number of valiant men and women lost

their lives in that triumph over evil. Their heroism will always be remembered. Thanks to their sacrifice, our nation stood up proudly again.

They set in motion what has come to pass now, decades later: the embrace of interdependence and the conviction that only by working together, in good faith, can we overcome the traumatic consequences of the past. My responsibility is to act in the interest of my people and my country, and in the twenty-first century, national success cannot come about in isolation. That is why Serbia will continue to engage in the best possible faith with the international community in addressing all outstanding challenges in the Western Balkans. Furthermore, we remain fundamentally as committed to defending our territorial integrity in a peaceful manner, as we are to fulfilling our European destiny. Serbia's central strategic priority remains full European Union membership.

During the recent general debate, a great world leader said that we are called upon by our times to unite as one and work together for mutual benefit and progress of a win-win nature, like passengers in the same boat.

It is a call that we wholeheartedly support. Serbia is dedicated to resolving all differences at the negotiating table, not the battlefield. Enough bullets have been fired in the Western Balkans. Never again should we descend into the maelstrom of war.

Today we have an obligation to foster engagement grounded in mutual respect. This will not be easy, for the wounds have not yet healed. But if we take up the challenge of reconciliation and find the courage to act together, then it will be said of this generation that when the need was great and when the odds seemed against us, we did the right thing and brought lasting peace to our lands, so that our children could live out their dreams.

I thank you, Sir, for allowing me to address the Council today.

**The President**: I thank Minister Jeremić for his statement.

I now give the floor to Mr. Skender Hyseni.

**Mr. Hyseni**: Allow me to first express my deep appreciation for the opportunity to brief the members of the Council on the situation in Kosovo, namely on the continued accomplishments and steady progress that the Republic of Kosovo has been making in all areas.

Since my most recent statement to the Council, in June, significant progress has been made in the area of state institution-building on the basis of our new democratic Constitution and the provisions contained in the comprehensive plan of Nobel Peace Prize winner Marti Ahtisaari. Two more nations have recognized Kosovo as an independent and sovereign State — the Hashemite Kingdom of Jordan and the Dominican Republic. We would like to extend our deepest appreciation for the recognition of our statehood to the peoples and Governments of Jordan and the Dominican Republic.

On 29 June 2009, the Republic of Kosovo formally signed the articles of agreement of membership with the International Monetary Fund and the World Bank. Membership in those two very important financial institutions has further encouraged the Government of the Republic of Kosovo to intensify efforts to fight crime and corruption.

This has also conferred additional responsibilities on the Government of the Republic of Kosovo and reinforced the need to further strengthen the rule of law and maintain macroeconomic stability through fiscal and budgetary discipline. The Government of Kosovo has continued to address and resolve many issues relating to the economy, justice and security and safety throughout Kosovo.

The well-being of minority communities and the return of Kosovo refugees to their homes and properties is a standing priority and the process of returns is ongoing, with Government funds allocated for the reconstruction of houses for returnees. Improvement of conditions in the minority community areas, in particular in the Serb majority areas, is an issue the Government of the Republic of Kosovo is paying close attention to, and progress is obvious.

There is, however, obstructive interference by the Republic of Serbia in our efforts to improve the living conditions of the Serb citizens of Kosovo. As Belgrade has continued to support parallel structures in the north, the Government of the Republic of Serbia has been working actively to discourage and prevent the members of the Serb community in Kosovo from working and integrating with the rest of Kosovo's population. Instead, the members of the Serb community in Kosovo are under permanent pressure

from Belgrade, with clear instructions to boycott the institutions of Kosovo and any cooperation with both the central and local authorities. Unfortunately, it is the members of the Serb community in Kosovo who suffer most as a result of that approach and mentality.

While the institutions of Kosovo seek to protect the rights and improve the lives of the members of the Serb community, the Government in Belgrade has been exploiting and confusing them with calls to reject integration and cooperation with Kosovo's institutions. At the same time, Belgrade has failed to offer any assistance or solution to the problems and concerns of the Serb community in Kosovo.

The situation in the North remains an issue of concern. However, there has been clear improvement in overall conditions with the deployment of the European Union Rule of Law Mission in Kosovo (EULEX), in particular with its becoming fully functional and operational. As EULEX has already achieved full operational capability, I wish to underline that the Government of the Republic of Kosovo remains deeply committed to cooperating closely with that Mission to combat crime and corruption, as well as illicit and criminal cross-border activities.

Nevertheless, I am very happy to report to the Council today that the overall security situation in the Republic of Kosovo is very calm and stable. The electoral campaign for municipal elections was launched today. As the Council knows, the Government of the Republic of Kosovo is now fully in charge of organizing elections. New elections for Kosovo's municipalities are due to take place on 15 November. Those will be the first elections following Kosovo's independence. Kosovo's Central Election Commission is fully responsible for conducting electoral operations. Comprehensive preparations have taken place to make sure that the upcoming municipal elections are successful and in full compliance with set standards. With more than 70 political entities having been duly certified to participate in the elections, we are confident that this will be another democratic, free and fair election in the Republic of Kosovo.

The institutions and the Government have been working hard to create all the conditions for a successful electoral process in the newly established Serb majority municipalities as well. We look forward to sizable and substantial participation by the Serb community in the November elections, as we believe it to be the most effective way to enable Kosovo Serbs to duly participate in the conduct of public affairs. In their outreach activities, both President of the Republic Fatmir Sejdiu and Prime Minister Thaçi have urged and encouraged Kosovo Serbs to participate in the elections. Regrettably, as we have heard today, there are clear indications that the Government of the Republic of Serbia has been doing quite the opposite, calling on Kosovo Serbs to boycott the elections.

Cooperation and the further strengthening of relations with neighbours, as well as regional cooperation in general, have continued to be a priority of the Government of Kosovo. I am very pleased to report to the Council that the maps and the agreement on the physical demarcation of the border line with the Republic of Macedonia have now been initialled. The signing ceremony for the agreement between the Republic of Kosovo and the Republic of Macedonia will take place very soon.

The participation of the Republic of Kosovo in regional trade and cooperation is critical to fostering and further strengthening bilateral and regional relations and understanding in the Western Balkans. Again, unfortunately, Belgrade has continued to impede our cooperation with neighbours and the international community by blocking our participation in regional and wider international bodies. Belgrade is also blocking Kosovo's exports to Serbia. Once again, I emphasize that Kosovo's Government has refrained from taking reciprocal measures, as we are confident that they would only hurt both people and businesses on both sides of the border.

The establishment of an atmosphere of cooperation and understanding in our region is critical, as all seven nations of the Western Balkans share the same European future. The Republic of Kosovo is firmly committed to pursuing the goal of European Union (EU) membership steadily, and welcomes the specific requirements and recommendations of the European Commission to Kosovo contained in the 2009 progress report. The Government of Kosovo will be working around the clock to deliver on all EU requirements.

The Republic of Kosovo appreciates the European Union's support for the economic and political development of Kosovo through a clear European perspective that is fully in line with the same perspective of the rest of the Western Balkans region.

In achieving our short-term, mid-term and long-term objectives, the Republic of Kosovo, its institutions and the people of my country will continue to cooperate closely with the EU, the United States, NATO and our neighbours and region.

In conclusion, as always I wish to thank the President and the members of the Council for the opportunity to present Kosovo's views. We look forward to working very closely with all the Members of the United Nations and of the Council as we promote shared goals of international peace and security.

**Mr. Kyrle** (Austria): I would like to welcome Mr. Vuk Jeremić, Foreign Minister of Serbia, and to thank him for his statement. Let me equally welcome Mr. Skender Hyseni, Foreign Minister of Kosovo, and thank him for his statement. Moreover, let me express our deep appreciation for the work and leadership of Mr. Lamberto Zannier, Special Representative of the Secretary-General, and for his important contribution to a gradual improvement of the situation in Kosovo.

I would also like to express our gratitude to the Secretary-General for his comprehensive report (S/2009/497) on recent developments in Kosovo. We particularly welcome the successful completion of the reconfiguration of the United Nations Interim Administration Mission in Kosovo (UNMIK), as well as the Mission's ongoing efforts to facilitate practical cooperation between communities and between authorities in Pristina and Belgrade, thereby promoting security and stability in Kosovo.

We are very pleased with the good cooperation between the European Union (EU) and the United Nations on Kosovo. The EU remains committed to playing a leading role, and the European Union Rule of Law Mission in Kosovo (EULEX) will proceed with the consolidation of the rule of law Kosovo-wide. We are encouraged by the achievements of EULEX throughout the entire country, including the successful reintegration of Kosovo Serb police officers, police operations and trials under the executive mandate of EULEX, as well as the enhanced presence in the North in the absence of full customs controls.

A lot remains to be done. We will need increased efforts by all sides to combat organized crime as a matter of priority. Close cooperation with EULEX by both Serbia and Kosovo will be crucial in order for the Mission's efforts to bear fruit. We are particularly concerned about the recent attacks on EULEX staff and property and call on everyone to refrain from such irresponsible actions.

Austria fully supports the work of EULEX and welcomes the plans to strengthen the EU presence in the North of Kosovo through the establishment of an EU house by the end of the year. Austria is currently providing EULEX with 23 experts in the police and judiciary fields. Furthermore, we will also continue to contribute to the Kosovo Force by providing more than 600 soldiers.

We commend the progress achieved by Kosovo in recent months. To date, 62 States have recognized Kosovo. The country's accession to membership of the World Bank and the International Monetary Fund will be essential to its economic development and will thus contribute to overall stability in the Western Balkans. We do note, however, that despite relative stability in recent months, ethnic tensions and incidents of violence, especially in the North, continue to have destabilizing potential.

We are encouraged to learn that at this stage, 23 Kosovo Serb political entities have already applied for participation in the 15 November elections. However, we are concerned about the continued existence of parallel structures in the three Kosovo Serb-majority municipalities in the North of Kosovo and their refusal to recognize the upcoming municipal elections, as well as about the holding of separate municipal by-elections in two Kosovo Serb-majority areas by Belgrade authorities. Progress in the ongoing decentralization process will benefit the minority populations, above all the Kosovo Serb community.

We hope that all ethnic groups in Kosovo will participate actively in the upcoming municipal elections, which will be an important test for the future of Kosovo. In his recent visit to Kosovo, Austrian Foreign Minister Spindelegger called on the Government of Kosovo to actively engage with the Kosovo Serb community. We sincerely hope that the first elections after Kosovo's independence will result in an encouraging signal for the future of all inhabitants of Kosovo. We would like to encourage pragmatism and self-restraint from both Kosovo and Serbia to make these elections a success, avoiding increased tensions, particularly in the North.

We remain strongly committed to a peaceful, democratic and multi-ethnic Kosovo with full respect

for the rule of law and the protection of non-Albanian communities and of Kosovo's cultural and religious heritage. The Organization for Security and Cooperation in Europe Mission in Kosovo (OMIK) has an important role to play in the realization of this goal. We welcome its extensive civilian field presence throughout all parts of Kosovo and commend its important work.

We also commend the Mission for working intensively and in coordination with other international stakeholders to support the Central Election Commission (CEC) in the preparations for the 15 November elections and for taking the lead in coordinating international stakeholders' assistance to the CEC, in accordance with OMIK's previous experience in organizing elections and within its status-neutral mandate.

Kosovo is a key factor in the long-term stabilization of the Western Balkans. It is well known that Austria has consistently supported a future for all peoples of the Western Balkans within the European Union. Yesterday, the European Commission published a progress report on Kosovo highlighting that many challenges, such as corruption and organized crime, remain, as well as a feasibility study analysing ways to further Kosovo's political and socio-economic development. The Commission proposes steps in this regard. Austria will favourably evaluate these proposals and remains dedicated to the objective of a peaceful, prosperous and multi-ethnic Kosovo, in which all people irrespective of their ethnic or religious background can live in safety and dignity.

**Mr. Apakan** (Turkey): Allow me to extend a warm welcome to the Minister of Foreign Affairs of Serbia, Mr. Jeremić, and the Minister of Foreign Affairs of Kosovo, Mr. Skender Hyseni. We are happy to see both of them with us today. I also welcome the presence of Mr. Kyrle, Vice Federal Minister for European and International Affairs of Austria.

I would also like to thank Mr. Zannier for his informative and comprehensive briefing. We very much appreciate his efforts. We are confident that the United Nations Interim Administration Mission in Kosovo (UNMIK), as reconfigured, will continue to cagy out the tasks entrusted to it and will, as in the past, contribute to ensuring peace and stability in Kosovo, in close cooperation with the European Union Rule of Law Mission in Kosovo and the Organization for Security and Cooperation in Europe.

We are pleased to see that Kosovo is taking the necessary steps to solidify its democratic institutions and capabilities as a sovereign State. We fully support these steps and remain ready to further contribute in any way we can.

The municipal elections to be held on 15 November 15 will be the first in Kosovo since the declaration of independence. Free, fair, transparent and inclusive elections are decisive for Kosovo's progress towards becoming a multi-ethnic society. The participation of the Kosovo Serbs and other communities in a multi-ethnic Kosovo is critical. We are encouraged to see that the political entities that have applied to take part in the elections come from the whole spectrum of communities in Kosovo. In this context, the integration of Kosovo Serb communities into Kosovo's institutions and their participation in the elections are particularly important.

We commend the Kosovo authorities for the work done so far on decentralization. We urge them to pursue these efforts to the end and devote the necessary resources thereto. While challenging, success in this area is critical to ensuring peace and stability and to demonstrating that Serbs have a future in Kosovo. We note the efforts of the Kosovo Government on the reconstruction of cultural property and returns. We hope to see further steps to advance the current projects. Progress in these areas is important for the formation of a diverse, multi-ethnic and multicultural Kosovo.

Security and stability in the Balkans are one of the key priorities for Turkey. We are committed to working with all our partners towards ensuring a safe, stable and prosperous future for the region. This being the case, the support given to Kosovo in its efforts to integrate with the international community and institutions should be further intensified. We will do our part in that regard.

At the same time, a democratic and prosperous Serbia is crucial to regional stability and cooperation. The international community should continue to encourage and support Serbia in its efforts to integrate with European and Euro-Atlantic structures. As for Turkey, we are determined to carry forward our friendly and mutually beneficial relations with Serbia.

**Mr. Parham** (United Kingdom): I, too, would like to join others Security Council colleagues in welcoming the Special Representative of the Secretary-General, Mr. Lamberto Zannier; the Foreign Minister of Kosovo, Mr. Skender Hyseni; and the Foreign Minister of Serbia, Mr. Vuk Jeremić, to the Council Chamber today. I should like also to welcome the Vice Federal Minister for European and International Affairs of Austria.

I would also like to express our thanks to the Secretary-General for his comprehensive report (S/2009/497) on developments in Kosovo over the reporting period and to commend the continuing efforts of the United Nations Interim Administration Mission in Kosovo (UNMIK) to help improve stability in Kosovo. We would also like to thank Mr. Zannier for his leadership and hard work.

The Secretary-General's report illustrates that Kosovo is continuing to make good progress in a number of areas: the rule of law, security and community reconciliation. We acknowledge the contribution of the United Nations in achieving this progress. It is also positive that 317 Kosovo Serb police officers have been reintegrated into the Kosovo Police Service and that the Kosovo security force has now reached initial operating capability. We commend the role that the European Union Rule of Law Mission in Kosovo (EULEX) and the Kosovo Force have played in achieving this.

The United Kingdom welcomes the start of criminal proceedings against those involved in deliberate attempts to damage vehicles belonging to the international missions in Kosovo. As the President of Kosovo has said, such attacks are unacceptable.

It is important to note that a growing number of United Nations Member States — now 62 — have recognized Kosovo. Kosovo has also become a member of the five World Bank Group institutions with the active support of over 50 further countries that, while not yet formally recognizing Kosovo, have shown by their votes that they accept that the Republic of Kosovo is now a permanent fact on the international scene and should be allowed to play its part independently in relevant international institutions. Altogether, almost 60 per cent of the membership of the United Nations has now accepted the fact of Kosovo's existence. We hope that those that have not yet done so will soon follow their example.

With UNMIK now having concluded its reconfiguration, more autonomy being given to Kosovo institutions and EULEX establishing a presence in all regions of Kosovo, UNMIK needs to ensure that it focuses on those areas where it can play a useful and relevant role. Equally, it is correct that UNMIK's resources should be commensurate with the size of its responsibilities. We welcome UNMIK's willingness to engage in a number of areas, such as assisting the Kosovo Property Agency, supporting Kosovo's engagement with external organizations where necessary, and promoting returns and reconciliation. We also underline our full support for the valuable work that EULEX is carrying out throughout Kosovo.

We call on the Government of Kosovo to continue to engage constructively and pragmatically with UNMIK for the benefit of all people of Kosovo. Nothing in that cooperation diminishes Kosovo's status.

One of the key challenges facing Kosovo in coming months is to ensure the success of the local elections. That will be achieved only by encouraging the participation of all of Kosovo's communities. Kosovo Serbs and their friends in the international community should recognize the practical benefits of decentralization and local elections. Whatever differences we have on status, we can surely agree that Kosovo Serbs need effective and legitimate locally elected leadership. Only through wide participation can there be viable local government that can secure funding for the benefit of its communities. The Government of Kosovo must reach out to all communities and do all it can to ensure Kosovo Serbs recognize the benefits that local representation will bring them.

We also call on the Government of Serbia to continue to engage with the European Union to improve conditions for Kosovo Serbs. We welcome recent progress on the ground and look forward to further, early steps on customs, justice and other issues.

We disagree with the view of the Serbian Government that conditions for successful local elections do not exist and regret that the Serbian Government will not support them. But we welcome the repeated assurances given by representatives of the Government of Serbia that Belgrade will not seek to punish those Kosovo Serbs who do take part. We believe that Kosovo's Serb community would benefit

from the rule of law and the opportunity to play a part in running their own communities.

The proposed EU house in the north should enable the citizens of north Kosovo to more easily recognize the benefits that a European perspective can bring them — for example, European project funding, scholarship or business start-up opportunities and information about the European Union.

The United Kingdom remains committed to supporting the international community's efforts to promote stability, reconciliation and economic progress in Kosovo so that it can advance towards an EU perspective in parallel with its neighbours.

**Mr. Rugunda** (Uganda): We thank the Special Representative of the Secretary-General, Mr. Zannier, for his briefing. We welcome the Minister for Foreign Affairs of Serbia, Mr. Jeremić, and thank him for his statement. We also thank Mr. Hyseni for his statement. Let me also welcome Mr. Kyrle, Vice Federal Minister for European and International Affairs of Austria.

Uganda welcomes the completion of the reconfiguration of the United Nations Interim Administration Mission in Kosovo (UNMIK) and commends it for reaching its authorized strength. We call on UNMIK to focus on promoting security and stability in Kosovo and in the Balkans by facilitating practical cooperation between communities, as well as between the authorities in Pristina and Belgrade. The creation of the UNMIK Office for Community Support is significant in facilitating engagement and cooperation by all sides.

We are encouraged by the level of cooperation between UNMIK and the European Union Rule of Law Mission in Kosovo (EULEX) regarding the exchange of information and coordinating on issues of mutual concern. That cooperation, in all sectors, should continue to be strengthened. We are also pleased to note that EULEX has reached full operational capacity and is continuing to operate under the overall authority of the United Nations, within the status-neutral framework of resolution 1244 (1999).

We are encouraged by the progress being made in decentralization, and we call on the authorities to ensure that the process is carried out in a consultative, participatory and inclusive way.

Although it appears that the overall situation in Kosovo during the reporting period remained relatively calm, we are concerned by the incidences of violence in the northern Mitrovica suburbs. We therefore call on both parties to exercise restraint, mutual respect and tolerance in order to live together harmoniously, in the interests of peace.

We salute the efforts of UNMIK, in coordination with EULEX and the Kosovo Force (KFOR), to encourage both sides to find a sustainable and peaceful solution. We also commend UNMIK for its efforts to encourage the return of Kosovo Serb internally displaced persons to their homes.

Finally, we commend UNMIK for its work and urge the internationally community to continue to lend the necessary support to enable it to effectively carry out its role of maintaining peace and stability.

**Mr. Heller** (Mexico) (*spoke in Spanish*): My delegation appreciates the information provided by Mr. Lamberto Zannier, the Special Representative of the Secretary-General for Kosovo, as well as the presence and statement of Mr. Vuk Jeremić, the Foreign Minister of Serbia, and the statement of Mr. Skender Hyseni.

Mexico has followed the full reconfiguration of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the transition over recent months with the European Union Rule of Law Mission in Kosovo (EULEX). We welcome the fact that there has been appropriate coordination between the two organizations in this transition period and that cooperation has continued in important areas such as rule of law and resolving community disputes.

My delegation calls on the parties to meet their obligations in conformity with resolution 1244 (1999), under the principle of neutrality, and to cooperate with UNMIK and EULEX in the implementation of their mandates, as their presence will continue to be central for the security, stability and development of the region.

It is important to recall that, pursuant to international humanitarian law, human rights and the rights of refugees, the parties are obliged to create conditions conducive to the secure, voluntary and non-discriminatory return of displaced persons and to adopt measures to facilitate that return, including economic reconstruction and social development in the locations of return.

My delegation views with concern the humanitarian situation and the lack of conditions necessary for the return of displaced persons and refugees to their homes. While the security situation in Kosovo has remained relatively stable, factors such as discrimination, harassment and lack of development opportunities arise as some of the major obstacles to ensuring enduring return in the region. Much remains to be done, given the much reduced number of returns registered in recent months, to attend to the requests of nearly 1,295 families for return to Kosovo.

We encourage UNMIK to continue to support local authorities, together with the United Nations Development Programme and other humanitarian organizations working on the ground, in the promotion of community development programmes aimed at the reconstruction of homes, job creation and access to services such as health, water and electricity, as well as in areas such as security and education. Mexico joins the call to local authorities to promote effective measures that improve conditions in the camps for internally displaced persons and offer basic services to their inhabitants including medical care. Caring for the population cannot be subordinated to other agendas.

For my delegation, strengthening the rule of law remains one of the pending matters that require priority attention. Along those lines we encourage UNMIK and the EULEX to spare no effort in strengthening the capacities of local authorities to provide access to justice, combat impunity and promote and ensure respect for human rights. Likewise, we call upon the parties and UNMIK maintain their support for and full cooperation with the International Criminal Tribunal for the Former Yugoslavia in order to guarantee the right to due process in the cases under its jurisdiction.

Mexico endorses the recommendation contained in the Secretary-General's report (S/2009/497) to increase strategic and political coordination between the United Nations and the European Union. We urge them to continue to work on the basis of a common strategy to address the ongoing challenges in Kosovo, with an eye to contributing to stability in the Balkans.

Lastly, we reiterate our position, consistent with the principles of justice and international law enshrined in the United Nations Charter and commend the International Court of Justice as the judicial body supremely competent to peacefully resolve disputes arising from the interpretation of international law. In that regard, we await with interest the advisory opinion of the Court requested by the General Assembly on the case of Kosovo.

**Mr. Urbina** (Costa Rica) (*spoke in Spanish*): I wish to begin by thanking Mr. Zannier for introducing the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2009/497). We salute his leadership and that of the mission in Kosovo. Costa Rica also welcomes the presence of Mr. Jeremić, Minister for Foreign Affairs of Serbia, and of Mr. Hyseni, Minister for Foreign Affairs of Kosovo. We also welcome the presence of the Vice Federal Minister for European and International Affairs of Austria.

Costa Rica recognizes the successful reconfiguration of the Mission in Kosovo and the ongoing coordination and complementarity of its work with the European Union Rule of Law Mission in Kosovo (EULEX). We also welcome the improvement of the overall security situation in Kosovo, as well as the reintegration of Kosovo Serb police officers into the Kosovo Police Service, because we believe that an inclusive police force will be more successful in addressing the ongoing ethnic tensions, in particular in the northern areas of the country. We believe that the strengthening of the Kosovo Police Service will serve not only to maintain security, but also to improve the operations of local security committees so that they may better address security incidents that arise within communities, including ethnically motivated confrontations.

Costa Rica hopes for the peaceful continued implementation of reconstruction projects and the creation of economic, social and security conditions conducive to the return and sustainable reintegration of internally displaced persons (IDPs), including the Roma, Ashkalis and Egyptians from the North. We also recognize the efforts undertaken to facilitate the return and reintegration of IDPs and call for continued efforts to promote security conditions that will help the greatest number of people to return.

Costa Rica underscores the importance we attach to the legitimacy of the democratic process with a view to the establishment of a peaceful State. In that context, we believe that the strengthening of institutions capable of holding transparent and fair elections is essential if the results are to be accepted by all parties. We hope for broad participation in the upcoming

municipal elections and believe that a successful electoral exercise will contribute to the strengthening of local governance and the consolidation of a Kosovar State that is prosperous, democratic, multi-ethnic and respectful of human rights.

Costa Rica reiterates its support for the declaration of Kosovo as a sovereign and independent Republic. We believe that a definitive and internationally recognized solution on the status of Kosovo is today more necessary than ever to the internal domestic development of the nation and to greater stability in the Balkan region.

While this recognition is in progress, we hope that Kosovo's relations with its neighbours continue to be based on respectful and peaceful coexistence. We call on the authorities in Kosovo to respect international humanitarian law and human rights, including measures to ensure respect and protection of minority groups. We also urge the international community to support the socio-economic development of Kosovo and its active integration into the regional economy and the broader context of the international community.

**Mr. Araud** (France) (*spoke in French*): I wish to begin by thanking Mr. Vuk Jeremić, Minister for Foreign Affairs of the Republic of Serbia and Mr. Skender Hyseni, Minister for Foreign Affairs of the Republic of Kosovo, for their presence. We have listened to them with great care. I also commend the work of Mr. Lamberto Zannier, Special Representative of the Secretary-General who in a very effective and pragmatic way has implemented the reconfiguration of the international presence created by the Secretary-General with the support of the Security Council.

More than a year and a half have passed since Kosovo's declaration of independence. What lessons can we draw? Kosovo's independence has contributed to strengthening security and stability, by putting an end to two decades of violence and defiance. The rights of minorities are respected in conformity with the commitments undertaken by Kosovo authorities by accepting the plan elaborated by the Special Envoy of the Secretary-General, Mr. Martti Ahtisaari.

This outcome is the result of the work of all the men and women who have worked within the United Nations Interim Administration Mission in Kosovo (UNMIK) for ten years. It is also the result of the work of the European Union with the European Union Rule of Law Mission in Kosovo (EULEX) and its essential support in helping the authorities in Kosovo to set up a State of law and solid institutions for the good of the people of Kosovo. It is also the result of the work of Kosovars who placed their confidence in the international community. It is the result of the work of Serbs who chose the path of reason and of doing their utmost to ensure that Kosovo would develop in peace and calm for the good of all its communities.

Of course, difficulties remain. But France believes that if we take a step back to look at all the very real imperfections in the field, it can be said that, generally speaking, the Government of Kosovo has acted in a responsible way and fulfilled its commitments. The creation of a Constitution in conformity with European norms and values and the adoption of laws promoting the participation of minorities are all important steps towards a State of law at the service of all of the inhabitants of Kosovo, without regard to their community alliances.

The reorganization of the international presence took place in very good conditions. The European Union is now providing essential support through deployment of EULEX which assists in building the institutions of a State of law in Kosovo in the framework of resolution 1244 (1999). The European Mission is pursuing a twofold objective: to help the authorities in Kosovo to consolidate the institutions put in place with UNMIK's assistance, and to ensure the full implementation of the commitments that they have undertaken concerning the rule of law. In that context, the role of Serbia is, of course, essential. We welcome the Mission's technical cooperation with the authorities of Kosovo's neighbours — including, of course, Serbia — in the area of law enforcement.

We are aware of what Kosovo's independence represents for Serbia. Nevertheless, we call on Serbia to maintain its responsible attitude and to focus its efforts on its future integration into the European Union. France, which does not forget a long shared history, is counting on Serbia to contribute to stability in a difficult region. The statement just made by Mr. Jeremić confirms that intention.

We listened attentively to Mr. Hyseni. The commitment to the rule of law, the desire to build a multi-ethnic State that respects minorities, the will to nurture friendly relations with Kosovo's neighbours and the pro-European commitment of the Kosovo

authorities that the Foreign Minister just reiterated are strong commitments that should be commended.

Once again, we have just seen evidence of the persistence of differences between Serbia and Kosovo. We regret that a legal and political guerrilla war is under way that is sterile and does not correspond with public opinion in both countries in favour of overcoming the crisis and turning to the future. The people are sometimes ahead of their Government.

However, we must also highlight the concern shared by the Serbian and Kosovo authorities to maintain stability in the region and to preserve the conditions for a shared future within Europe. We encourage Belgrade and Pristina to resume direct dialogue as swiftly as possible. The European Union, for its part, will remain committed to ensuring a stable and prosperous future for the Western Balkans as a whole and to offering a shared future to Serbs and Kosovars within the framework of our European adventure.

**Mr. Dabbashi** (Libyan Arab Jamahiriya) (*spoke in Arabic*): I should like at the outset to welcome Mr. Jeremić, Minister for Foreign Affairs of Serbia, and Mr. Hyseni. I also thank Mr. Lamberto Zannier, Special Representative of the Secretary-General, for his briefing.

It goes without saying that the changes in the situation on the ground since Kosovo's declaration of independence and the deployment of the European Union Rule of Law Mission (EULEX) have made it possible to appropriately reconfigure the Mission and its activities. In that context, I should like to congratulate the bureau of the Mission on having taken the concerns of communities into account. We believe that it is extremely important that those efforts continue, in particular with regard to the minorities. That will allow for the voluntary return of internally displaced persons, the monitoring and protection of human rights and continued mediation among local communities.

Despite the prevailing calm and recent positive developments in Kosovo, such as the return of certain Serbian police to carry out their duties, we remain concerned about the tense situation in the northern municipalities, since they are functioning in isolation, separately from other areas of Kosovo, and in some cases are linked to separate conflicts between Kosovo Serbs and Kosovo Albanians. In that connection, we would like to commend the role of the United Nations Interim Administration Mission in Kosovo (UNMIK) as mediator and its efforts to reduce tension and begin reconstruction, with the assistance of EULEX and the Kosovo Force (KFOR). We condemn any attacks on the United Nations Mission and its property in Kosovo, and we wish to stress the need to ensure the safety, security and rights of United Nations personnel, wherever they might be.

We share the opinion expressed by the Secretary-General with regard to inviting the parties to adopt an approach based on common interests, to adopt a constructive policy concerning reconciliation between various ethnic groups, to exhibit restraint and to avoid any incendiary statements that could lead to an escalation of violence in the region. All parties must refrain from any act that could destabilize the region. We are aware that there are differing points of view concerning the status of Kosovo, and we await the advisory opinion of the International Court of Justice on that issue. However, we are hopeful that dialogue and constructive cooperation will continue so that all sects and communities can coexist in an atmosphere of cooperation far removed from acts of violence.

We have taken note of the recommendations made by the Secretary-General in his report (S/2009/497), and we join others in thanking the Mission for its efforts to strengthen dialogue and pragmatic cooperation among communities and between Pristina and Belgrade in order to establish stability in Kosovo and in the Balkan region in general.

**Mr. Takasu** (Japan): I would like to join previous speakers in extending a warm welcome to Foreign Minister Jeremić of Serbia and Foreign Minister Hyseni of Kosovo. I would also like to thank Special Representative Lamberto Zannier for his comprehensive briefing. The United Nations contribution for Kosovo — particularly the Secretary-General's leadership and Mr. Zannier's personal commitment — is very much appreciated.

We also highly value the contributions on the ground by the sister organizations — the European Union Rule of Law Mission (EULEX), the Kosovo Force (KFOR) and the Organization for Security and Cooperation in Europe (OSCE) — to support a multi-ethnic, democratic Kosovo and the entire Western Balkans region.

The reconfiguration of the United Nations Interim Administration Mission in Kosovo (UNMIK) initiated by the Secretary-General has now been completed. We welcome the useful role played by UNMIK in inter-ethnic mediation. UNMIK is making efforts to mediate between northern Kosovo and Pristina and also between Pristina and Belgrade, in cooperation with the United Nations Office in Belgrade. We are very pleased that UNMIK's involvement has contributed to the relaxation of tensions surrounding the Kroi i Vitakut/Brdjani reconstruction.

EULEX is also extremely important. We welcome the operation conducted by EULEX, which has been carried out very smoothly. Its technical consultation with Belgrade is also making progress. The attack by a militant group on EULEX in Pristina was quite regrettable. Establishing the rule of law in Kosovo is an urgent task, and we urge all parties to work with EULEX to achieve effective cooperation.

We are expecting municipal elections on 15 November. If Kosovo is to develop multi-ethnic communities, it is important to ensure that these municipal elections are conducted in a free, fair and transparent manner. People must be allowed to vote and participate in a free and safe atmosphere. It is our hope that decentralization will be promoted throughout Kosovo, including the northern provinces, with broad local participation.

The tense security situation in northern Kosovo is a continuing source of concern, and we urge all parties to extend their cooperation to aid the return of internally displaced persons and the protection of ethnic minorities.

The focus of the international community should be on promoting economic growth and development and peaceful coexistence in a multi-ethnic Kosovo. We welcome the fact that Kosovo has become a member of the World Bank Group and is implementing a new partnership strategy, including by improving public subsidies and generating new sources of economic growth. Japan has extended support to Kosovo through a human security approach, because integrating a human-centred approach is particularly relevant in the northern provinces, with due regard to reducing the sense of vulnerability among the population. Such an approach is extremely useful not only in Kosovo but also in the Western Balkan nations as a whole.

We conducted a bilateral consultation in Pristina yesterday, and Japan will consider, on the basis of the outcome, additional assistance to Kosovo. Japan is committed to helping Kosovo develop as a vibrant multi-ethnic and fully democratic country, and to stabilizing the Western Balkan region as a whole. We will do so in close cooperation with our international partners, Serbia and other countries in the region.

**Mr. Churkin** (Russian Federation): We thank the Special Representative of the Secretary-General in Kosovo, Mr. Zannier, for his presentation of the Secretary-General's report (S/2009/497) on the United Nations Interim Administration Mission in Kosovo (UNMIK). We welcome the participation in today's meeting of the Minister for Foreign Affairs of Serbia, Mr. Vuk Jeremić, whose assessments we share. We are compelled to note that the ideas offered by Mr. Hyseni are often very different from the realities on the ground.

The position of the Russian Federation on the issue of Kosovo remains consistent. We are convinced, as before, that resolution 1244 (1999) is still fully in force and remains the international legal basis for a Kosovo settlement binding upon all. The Russian Federation fully endorses UNMIK's actions in fulfilling its mandate and the provisions of the report of the Secretary-General of November 2008 (S/2008/692). That document enshrines the primacy of the United Nations Mission vis-à-vis other international presences in the province. No one, therefore, has the right to impede UNMIK's fulfilment of its mission, including issues related to securing in Kosovo the democratic standards established by the international community.

At the same time, we continue to hear calls from Pristina for the drawdown of UNMIK. We consider these unacceptable and even dangerous. Any tolerance of such suggestions will lead to a destabilization of the situation, which has manifested itself lately in the burning of vehicles belonging to international presences.

On the basis of the lead role of the United Nations Mission in Kosovo, we should build its relations with the European Rule of Law Mission in Kosovo (EULEX). Any attempt to question the competence and authority of UNMIK or to replace it with other international structures in the province is unacceptable, as it would run counter to the Security

Council's approach package for the reconfiguration of UNMIK, adopted in November 2008.

In the context of the completed reconfiguration of UNMIK, the Mission should fulfil its functions in a proactive and comprehensive way within the framework of the mandate entrusted it by the Security Council. We are concerned about attempts to marginalize UNMIK's role, not only in the area of the rule of law, but also in the context of the negotiation process on the six technical issues. Representatives of UNMIK should participate in all Belgrade-EULEX meetings. Albanian Kosovars should also be more actively motivated to cooperate on practical aspects of restoring the daily life of the Serb community in the province. What is important here is the active participation not only of UNMIK, but also of States with influence in Pristina. We note that the authorities in Pristina, in contrast to Belgrade, have thus far pursued a policy in this area that is not constructive.

We consider any further downsizing of UNMIK's operational personnel to be unacceptable, as it would limit its ability to discharge its Security Council mandate, including on the issues of the return of refugees and internally displaced persons, and the protection of Serb cultural heritage. The situation in that sphere is alarming. This outrage cannot be swept under the carpet.

Regarding the municipal elections scheduled for 15 November in the province, we stress that UNMIK and the Kosovo Force (KFOR) should carry out a coordinated and status-neutral policy aimed at averting tensions that could have unpredictable consequences. This applies equally to the issue of the return of Albanian Kosovar property in the North of the province. The situation in this respect is marked by a potential for explosive conflict, which has arisen largely as a result of the illegal activities of Albanian Kosovars.

We reiterate our readiness to continue political efforts to elaborate a legally correct, fair and effective settlement of the Kosovo issue. The next stage in that context should be the oral hearings beginning 1 December in the International Court of Justice on the question of the legality of Kosovo's unilateral declaration of independence, in which Russia intends to participate.

I have one further important point. We draw the Council's attention to the unacceptability of the arbitrary participation of Kosovo representatives in international forums, including the United Nations and its specialized agencies. Unfortunately, we were recently witness to blatant violations in that regard. During the high-level week of the sixty-fourth session of the General Assembly, representatives of Pristina enjoyed illegal, unfettered access to the Assembly Hall and other Headquarters premises intended exclusively for the official delegations of Member States. There, these individuals engaged in bilateral contacts with other delegations without the mandatory presence of UNMIK representatives, as required under resolution 1244 (1999). Such flagrant breaches of the provisions of resolution 1244 (1999) and of United Nations rules and procedure are unacceptable, and we assume that they will not happen again.

**Mr. Koudougou** (Burkina Faso) (*spoke in French*): At the outset, I would like to thank Mr. Lamberto Zannier, Special Representative of the Secretary-General, for his briefing. I welcome Mr. Vuk Jeremić and Mr. Skender Hyseni, Ministers for Foreign Affairs of Serbia and the Republic of Kosovo, respectively, and thank them for their statements.

My delegation notes that the overall situation in Kosovo has remained relatively stable, despite a number of inter-ethnic problems that unfortunately persist in the North of the province. We pay tribute to the actions of the Special Representative of the Secretary-General, in cooperation with local authorities, to address these differences, and we welcome the full cooperation of the Kosovo Police Service with the European Rule of Law Mission in Kosovo (EULEX) and the Kosovo Force.

Regarding the upcoming municipal elections scheduled for 15 November, the first since the declaration of independence of Kosovo, we urge all actors to step up their efforts to ensure the calm conduct of the electoral process, which we very much hope will be free, transparent and democratic.

While we commend the authorities of Pristina for the steps taken to resolve the issues relating to the minority communities, we urge them to further engage in the fight against the crimes of aggression, killings and desecration of cemeteries.

In the opinion of my delegation, the following challenges should be especially emphasized. First is the creation of the necessary social, political and economic conditions to ensure a successful

reintegration of the displaced Serbs in Kosovo, which would help guarantee lasting stability of the region. Second is reconstruction of the cultural and religious heritage sites, which would certainly have a positive impact on the spiritual life of the Serb minorities in the region. In that regard, the support and cooperation of the countries of the region and of the international community are essential in order to promote rapprochement and reconciliation between the two communities. Third and last is relaunching the economy through creating jobs and improving the living conditions of the population in Kosovo.

My delegation congratulates the United Nations Interim Administration Mission in Kosovo (UNMIK) for its cooperation with the authorities in Pristina and of Belgrade, despite certain reluctance over its presence. We wish to recall that the Mission, which was authorized by the Security Council, should have the support of the international community to enable it to play its role fully, in particular that of mediator in the dialogue between Pristina and Belgrade so as to guarantee security and stability in the region.

We welcome the fact that the EULEX Mission is fully operational, so it can undertake monitoring, mentoring and advising activities in the area of the rule of law. The results of its efforts have already been seen in the areas of law enforcement, justice and customs. We also welcome its cooperation with UNMIK in handling war crimes cases, and we urge the parties and all national and international actors to cooperate fully with it in order to find solutions to the region's remaining problems.

To conclude, Burkina Faso wishes to reaffirm its recognition of the Republic of Kosovo and would urge the parties to engage in dialogue so as to find a mutually acceptable solution to their differences. We also urge the international community, including the countries of the subregion, to assist them in that step towards restoring peace and stability. Finally, we reiterate our full support for Mr. Zannier and for UNMIK.

**Mr. Liu Zhenmin** (China) (*spoke in Chinese*): The Chinese delegation wishes to thank you, Mr. President, for convening today's meeting. We welcome the presentation of the report of Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2009/497). We thank Mr. Zannier, Special Representative of the Secretary-General for Kosovo, for his briefing and commend him and the United Nations Interim Administration Mission in Kosovo (UNMIK) for their efforts to maintain peace and stability in Kosovo and in the Balkan region.

We have listened carefully to the statements made by His Excellency Mr. Jeremić, Minister for Foreign Affairs of Serbia, and by Mr. Hyseni. We welcome the participation of the Austrian Vice Federal Minister for European and International Affairs in today's meeting.

The report of the Secretary-General and the briefing by Mr. Zannier have shown that in the last reporting period the political situation in Kosovo remains generally stable and that municipal elections will be held on 15 November. However, the situation in some areas in the north remains fragile. There has been some small-scale conflict between Serb and Albanian residents. China is concerned in that regard.

At the same time, we are encouraged to see that under UNMIK's mediation, an initial settlement has been reached in the disagreement between ethnic Albanian and ethnic Serb residents. We hope that all parties will continue to exercise restraint, enhance dialogue and avoid statements and actions that might threaten the peace and stability.

At present, the fragile situation in northern Kosovo reflects some prominent issues facing both the Serbian Government and the Kosovo authorities. Serbia and Kosovo have serious differences on the status and the future of Kosovo. The ethnic Serbs and ethnic Albanians living in Kosovo urgently need to enhance their mutual understanding and trust. Efforts to encourage the displaced persons of those communities to return to Kosovo should be stepped up, in particular the reintegration of the Serb community in Kosovo.

We believe that the continuation of the above situation is not conducive to peace and stability in the Balkan region. The settlement of the issue depends on the joint efforts of the Serbian Government and the Kosovo authorities. China respects the sovereignty and territorial integrity of Serbia. We hope that, through dialogue and negotiations, Serbia and Kosovo will reach a mutually acceptable settlement to the Kosovo issue. The Kosovo authorities should also create favourable conditions for the settlement of conflict between the communities and the question of their return.

China has noted that with the change in the situation on the ground, UNMIK has undergone a reconfiguration and a drawdown. We believe that the adjustment of UNMIK is only technical and should not involve the question of the status of Kosovo or change the neutral position of the United Nations. UNMIK should continue to observe the mandate provided by Security Council resolution 1244 (1999) and other relevant documents. We hope that it will strengthen its communication with Serbia and with Kosovo, pay attention to fulfilling the functions of the newly created Office for Community Support and Facilitation, continue to play a crucial role in the proper settlement of the Kosovo issue and promote peace and stability in the Balkan region. We also hope that the parties concerned will cooperate closely with the Mission's various efforts.

We welcome the readiness of the European Union to play a role in maintaining stability in the Balkan region. We hope that EULEX will continue to operate under the overall authority of the United Nations and within the status-neutral framework of resolution 1244 (1999), to cooperate with UNMIK's work and to play its due role in maintaining the peace and stability in this region.

**Mr. Vilović** (Croatia): I too would like to welcome to the Chamber His Excellency Vuk Jeremić, Minister for Foreign Affairs of the Republic of Serbia, and His Excellency Skender Hyseni, Minister for Foreign Affairs of the Republic of Kosovo, and to thank them for their statements. We also welcome Mr. Lamberto Zannier, Special Representative of the Secretary-General, and thank him for his important contribution and his tireless work. We also welcome the presence at this meeting of Mr. Johannes Kyrle, Vice Federal Minister for European and International Affairs of Austria.

Croatia welcomes the continued and steady progress that Kosovo is making on its path towards creating a stable, secure and democratic society. We also salute the European Union for continuing its efforts in advancing the European perspective for all the countries in the region on the basis of their reform efforts and individual accomplishments.

Croatia welcomes the Secretary-General's assessment that the overall security situation in Kosovo has remained relatively calm. However, we are concerned with recent incidents in the north, including the acts of vandalism involving 26 European Union Rule of Law Mission in Kosovo (EULEX) vehicles in Priština.

Croatia would like to commend the United Nations Interim Administration Mission in Kosovo (UNMIK) for its effective and useful role and for the services that it is providing to both communities in Kosovo, as well as for its support to international organizations operating in the north, including through its dialogue and cooperation on practical issues that can benefit both Priština and Belgrade.

We believe that that, in itself, confirms the useful role that UNMIK plays in Kosovo, particularly on issues of external relations and international legal assistance. We call on all parties to continue to cooperate with the Special Representative of the Secretary-General and his team.

Croatia is pleased to see that EULEX has continued to undertake monitoring, mentoring and advising activities since its full deployment on 6 April 2009. Croatia, which is a contributing country to EULEX, would like to take this opportunity to commend the Mission's leadership and other partner countries for their efforts, in particular for ensuring, in a coordinated manner with UNMIK and the Kosovo Force, effective response to instances of inter-ethnic violence or major public disturbances.

We welcome the good cooperation that exists between EULEX and UNMIK, which, together with other international partners, should continue to work together to address new challenges and build a better future for all people in Kosovo. We also welcome the high level of interest and support that Kosovo authorities have shown in helping EULEX to fulfil its mandate, as well as in planning further action.

Croatia looks forward to the successful conduct of upcoming municipal elections scheduled for 15 November 2009, as the Central Election Commission, with the support of the Organization for Security and Cooperation in Europe (OSCE), will for the first time be fully in charge of organizing all phases of electoral operations and certifying the results. That will be a further test of the maturity of Kosovo's institutions.

We believe that all citizens of Kosovo, including Kosovo Serbs in the north, should be encouraged to participate actively in the elections. Moreover, we

welcome the return of almost all Kosovo Serb officers to their positions in the Kosovo Police by the 30 June deadline. Remaining Kosovo Serbs and other non-Albanians will fully realize their civic and democratic rights by actively participating in the political process and institutions in Kosovo, thereby improving the position of their respective communities.

In that respect, even though the number of returns remains low, we draw attention to the assessment in the Secretary-General's report (S/2009/497) that the reintegration of minority communities continues to be a challenge, primarily owing to the lack of employment opportunities, the fragile economic situation and access to services.

Finally, we acknowledge the efforts made on the question of the reconstruction of cultural property and the issue of returns. As stated by the Secretary-General in his report, the number of returns remains very low, while the reintegration of minority communities, especially the Kosovo Serb community, continues to be a challenge. Further progress in this field remains critical, as Kosovo is gradually developing into a multi-ethnic and peaceful society strengthened by its commitment to the values of tolerance, protection of human rights and minority rights, dialogue and cooperation.

**Ms. DiCarlo** (United States of America): Let me begin by welcoming Foreign Minister Jeremić of Serbia and Foreign Minister Hyseni of Kosovo to the Security Council today. I would also like to welcome Special Representative Zannier to the Council and thank him for his briefing.

The United States commends the Special Representative for the work the United Nations Interim Administration Mission in Kosovo (UNMIK) has carried out under his leadership, including UNMIK's successful reconfiguration.

Today, I would like to underscore three key points. First, the United States welcomes what the Secretary-General has called a new phase for UNMIK. The full deployment of the European Union Rule of Law Mission in Kosovo (EULEX) has enabled UNMIK to reconfigure itself and reduce its responsibilities. We fully support this transition, which makes EULEX the primary international presence for rule of law issues in Kosovo. We welcome EULEX's expanding role in Kosovo, especially in the north of the country. As the Secretary-General states, UNMIK has now refocused its efforts in facilitating practical cooperation among all communities in Kosovo, and we note that both Belgrade and Priština have adopted pragmatic approaches in resolving some of their outstanding issues.

Special Representative Zannier noted that UNMIK continues to facilitate Kosovo's participation in some international forums. We thank UNMIK for this assistance where it is necessary, but also note that Kosovo plays an independent role in a large number of international organizations and initiatives and should be allowed to play its role independently in the international community.

Secondly, we commend the Government of Kosovo for continuing to carry out its commitments under the Ahtisaari plan. The municipal elections scheduled to be held in 36 municipalities on 15 November 2009 will represent a significant milestone for Kosovo. These elections are the first to include new municipalities under the decentralization process outlined in the Ahtisaari plan. These new municipalities enable Kosovo Serbs to have a significantly stronger voice in local issues, and we are encouraged that 41 of the 76 parties or lists registered to participate in the elections represent Serb and other minority communities.

The United States strongly encourages all of Kosovo's citizens to participate in the upcoming elections, and we hope that others in the international community will voice their support for their participation as well. We regret that Foreign Minister Jeremić has said today that the Government of Serbia will not support the participation of Kosovo Serbs in these elections.

We also call on Belgrade and Priština to encourage and facilitate the engagement of all ethnic groups in Kosovo's institutions. We urge an end to support for parallel structures, which diminish coordination and cooperation between the Government and those in need and undermine the roles of the responsible Kosovo authorities.

Kosovo continues to face significant challenges in addressing the return of refugees and internally displaced persons. To be successful, the Governments of Kosovo and Serbia must continue to sustain efforts to facilitate these returns. The agreement reached earlier this year to reopen offices of the Kosovo Property Agency in Serbia was a major step forward.

Thirdly, the Secretary-General notes that the security situation remains relatively calm in Kosovo. Because of improved security, NATO decided to downsize its peacekeepers to a deterrent presence. But recent security incidents in northern Kosovo highlight the sensitivities and tensions inherent in building a multi-ethnic society after a conflict. We welcome the return to work of most Kosovo Serb police officers and the appointment of an ethnic Serb police officer to the position of Deputy General Director of Kosovo Police. Both are positive developments that will improve relations among Kosovo's communities.

The United States condemns the recent vandalism of UNMIK vehicles, but applauds Kosovo's handling of the incident, including the later arrest and prosecution of the perpetrators. These incidents and others, such as the confrontations over housing reconstruction by Kosovo Albanian returnees in northern Kosovo this summer, underscore the need for strengthened police cooperation and security for returning displaced persons.

Kosovo has made tremendous progress in the decade since the passage of resolution 1244 (1999). Sixty-two countries have now recognized Kosovo as an independent State. Kosovo has just joined the World Bank and the International Monetary Fund, and the country has shown that it is serious about its commitment to be a stable friendly member of the community of nations. Kosovo and other countries coming out of conflict in the Western Balkans deserve our continued support. For our part, the United States will continue to support the integration of all of the countries in the Western Balkans, including Kosovo and Serbia, into European institutions and Euro-Atlantic structures.

**The President**: I shall now make a statement in my capacity as the representative of Viet Nam.

I thank Mr. Lamberto Zannier, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), for his briefing and for his leadership of UNMIK. I also wish to thank Foreign Minister Vuk Jeremić of Serbia for participating in the Council's meeting today and sharing his perspectives on the situation on the ground. I acknowledge the presence of Mr. Skender Hyseni at this meeting of the Council.

Viet Nam continues to support the critical role of UNMIK in maintaining security and stability in Kosovo. We applaud UNMIK's efforts to engaged with all communities in Kosovo and to facilitate cooperation between Belgrade and Pristina.

We are encouraged to note that the Mission has successfully completed its reconfiguration and moved into a new phase, with a strong focus on providing mediation services to local communities and international organizations operating in northern Kosovo. We commend the strengthened cooperation between UNMIK and the European Union Rule of Law Mission in Kosovo (EULEX) under the overall authority and within the status-neutral framework of the United Nations. Such cooperation should be further enhanced so as to create an enabling atmosphere for dialogue among all Kosovo's communities and between Belgrade and Pristina with a view to finding durable solutions to the ongoing challenges in the region.

We take positive note of the progress made in such areas as the rule of law, justice and customs during the reporting period, as well as the demonstrated interest of Belgrade in finding solutions to some of the pending matters.

We remain concerned about the fragile security situation in Kosovo, marked by a series of security-related incidents and confrontations between Kosovo Serb and Kosovo Albanian communities in the North. We are also concerned about ethnic tensions in the North and the situation of refugees and internally displaced persons, including thousands displaced from Kosovo. We urge the local authorities in Kosovo to pay due attention and undertake appropriate actions to ease tensions related to these sensitive inter-ethnic issues. We call upon the authorities in Pristina and Belgrade to continue to work closely with all relevant international stakeholders towards negotiated solutions to their differences through peaceful means.

As a comprehensive and long-term solution to the situation in Kosovo has yet to be achieved, Viet Nam believes that the continued engagement of UNMIK with all sides remains crucial at this juncture, as it could facilitate the attainment of concrete progress and the fruitful implementation of arrangements that can be acceptable and beneficial to both Belgrade and Pristina.

The increasing contribution of EULEX to the areas of police, courts, customs, transportation and infrastructure, boundary management and protection of Serbian patrimony has already shown positive results and should be encouraged. We urge all sides to reinforce their constructive engagement and cooperation with UNMIK within the framework of Security Council resolution 1244 (1999) in working towards the achievement of solutions to long-standing impasses and of peace and security in the Balkans as a whole.

I now resume my functions as President of the Council.

I call on Mr. Skender Hyseni, who has asked for the floor to make a further statement.

**Mr. Hyseni**: I had so hoped that I would not have to ask to speak a second time today, but a number of inaccuracies that we heard today from Mr. Jeremić require a response.

Unfortunately, the efforts to mislead this Council have continued with the presentation of various figures that have nothing in common with reality and with definitions that are in fact profound distortions of reality. What one ethnic group calls secession another calls a declaration of independence. I wish to recall for the Council that the independence of Kosovo was declared and has been supported by every single ethnic group living in Kosovo but the Serb community. Anyone who wishes to see that for themselves has only to go through the signatures signed under the declaration of independence. Turkish, Roma, Egyptian, Bosnian, Ashkali and many other names — non-Albanian members of Parliament of the Republic of Kosovo — will be found there.

Organized crime and terrorism are the only words used by some to describe Kosovo. The Kosovo Liberation Army is labelled a terrorist organization. The freedom-fighters of the Kosovo Liberation Army are freedom-fighters. Kosovo, on the other hand, is firmly committed to investigating, pursuing and punishing any crime committed on the territory of the Republic of Kosovo, regardless of the perpetrator. Isolated cases will in no way be allowed to overshadow the efforts of the suffering people of Kosovo to safeguard their freedom and their very existence.

I will not respond to each and every inaccuracy that we have heard tonight because I do not want to waste the Council's time. But let me just say that it is regrettably amazing that we never heard Mr. Jeremić speak of the 12,000 to 15,000 slaughtered Albanians. We never heard Mr. Jeremić speak of the hundreds of mosques destroyed. We never heard Mr. Jeremić speak of atrocities committed throughout the former Yugoslavia that were sponsored, organized, planned and carried out by the Government of the Republic of Serbia.

The Serbian patrimony is the cultural heritage of Kosovo. It is our cultural heritage, and we intend to protect it by all means and at any cost. We intend to investigate and prosecute any crime committed in Kosovo. I am not going to turn myself either into an investigator or into a judge tonight. I am not the one. We have an independent justice system that is fully functional and will be more and more so with the help and support of the European Union Rule of Law Mission in Kosovo (EULEX).

We invited EULEX to deploy in Kosovo to help us in the police and justice sectors. We, and not the Republic of Serbia, will prosecute crimes committed by our people in the territory of our country. The old way is over, and will never happen again. We know the ways that the Republic of Serbia used to punish crimes in Kosovo — by collectively wiping villages and thousands of civilians off the face of the Earth.

Mr. Jeremić failed to speak of missing persons, the many persons still missing from Kosovo, the remains of whom are, unfortunately, still somewhere in Serbia in mass graves. I am confident that the authorities in Belgrade are quite aware of many of those mass graves. The best thing to do would be to give the families in Kosovo the information on the whereabouts of their loved ones instead of trying to blame Kosovo, Kosovar Albanians and the Kosovar population for all the atrocities that the Republic of Serbia has, in a very planned manner, carefully carried out through its military, paramilitary or police forces.

Finally, I would like to once again thank you, Sir, for your time and patience. I would like to call on you to refer to various statistical data on the number of Serbs ever living in Kosovo. Serb officials continue to speak of 200,000 or 300,000 displaced persons, while, in the best possible case, less than 200,000 Serbs ever lived in Kosovo. We still have 135,000 Serbs living in Kosovo, some in the north, but most of them in the

southern part of the country. 70 per cent of the Kosovo Serbs live south of the Ibar river.

I believe this forum, the Council, should not be misused to spread inaccuracies that are profoundly misleading. Once again, I assure members that they can count on our firm determination to fight organized crime and corruption. But it is we who will do that, not the Republic of Serbia. The Republic of Serbia will never again be able to hold any court sessions in the Republic of Kosovo.

**The President**: I thank Mr. Hyseni for his statement.

His Excellency Mr. Vuk Jeremić has asked for the floor to make another statement. I give him the floor.

**Mr. Jeremić** (Serbia): I am going to just briefly address some of the notions presented here related to the distortion of reality.

What is true is that Kosovo is a very difficult place to live right now, and not exactly the kind of place that Mr. Hyseni and a few other participants in today's discussion were attempting to describe. So when it comes to distortions of reality, I think that the most difficult element of this is the way people actually live right now in Kosovo.

I will try to address again the issue of decentralization and the issue of participation in the electoral process. Unfortunately, these elections were not called in the way that all elections until now have been called. Resolution 1244 (1999) is very clear as to how they are supposed to be called. Had they been called in the way that all previous elections have been called, Serbian leadership would have, as every previous time, supported the participation of Serbs in these elections. These new elections were simply called by the so-called institutions of the Republic of Kosovo. There was no way for us to be able to support them.

We do, however, want to be very constructive and engage in the process of coming up with a decentralization concept that would benefit all the residents of the province. I hope we are going to be able to do that, for the sake of ordinary people there.

I have heard Mr. Hyseni repeatedly saying that he looks forward to cooperating with the European Union, United States and NATO in the territory. We do so as well. But I want to remind Mr. Hyseni that he is sitting in the United Nations building, and I would have hoped for him to say that he looks forward to cooperating with the United Nations, that is, the United Nations Interim Administration Mission in Kosovo (UNMIK), the United Nations representation in the province, and not refuse to meet the representatives of the United Nations in Priština. This is now changing, and I commend this change of heart in Priština, but I would just like to encourage people there to continue to work with UNMIK and the United Nations, as all of us are going to do in the future.

I spoke about the need to fight organized crime and terrorism and that that is the subject of the protocol on cooperation between the Serbian Ministry of the Interior and the European Union Rule of Law Mission in Kosovo (EULEX).

I did mention the Kosovo Liberation Army (KLA), but I did not call the KLA a terrorist organization in my remarks today. Mr. Hyseni, however, did. But that is of course true. The KLA was and is a terrorist organization. But I never said that. I thank him for reminding us that the KLA is a terrorist organization.

I am never going to try to diminish the deeds carried out by the regime of Slobodan Milosević in Kosovo. That regime was overthrown by the people of Serbia. The Government of Serbia is now led by the people who risked their lives in overthrowing the dictatorship of Slobodan Milosević. I will never try to deny or diminish the crimes committed in Kosovo and in other parts of the region under the leadership of the Milosević Government. But I hope Mr. Hyseni is not trying to blame the current Government of Serbia for those deeds, including the burning of the mosques.

However, when it comes to the authorities in Kosovo, I can very well blame the current leadership, because of events such as the March 2004 pogrom, in which 35 churches and monasteries from the medieval ages were burned or desecrated in only two days by organized mobs of people. By the way, no one is currently behind bars in Kosovo for that horrible crime. I commend Mr. Hyseni's determination to fight organized crime and to protect the heritage of Kosovo. I hope he starts doing that very soon. Maybe he could start by prosecuting those who burned down those churches and monasteries in 2004. Nobody is behind bars for that right now.

The last thing that I am going to say is that, with regard to the statistical data, 206,000 internally

displaced persons is the official figure of the United Nations High Commissioner for Refugees. Those are the statistics I was referring to. Sitting here in the United Nations, we decided to quote the United Nations figure on this.

Having said all that, I think this is really the time to try to set aside our differences on status, because our differences on status are going to be contested in a court of law. It is yet another United Nations organ, the International Court of Justice.

But this is the time to work together, despite all the differences and the difficulties that we have with each other, in a status-neutral way, which is something that I hope Kosovo can embrace, as we have decided to embrace that approach, especially in regional organizations and international meetings. Serbia is not going to try to shut Pristina out of regional organizations where they have had membership in the past. Every single place where Pristina is a member, we are going to support their participation — but according to the rules. The rules are clearly laid out, and they are written in the statutes of these organizations. We are just willing to follow the rules. I think this is the safest approach.

UNMIK has a very important role to play in those meetings. Kosovo has spoken before in those bodies and forums in a certain way, and we welcome their doing just that again. But if they expect us to support the change of format because on 17 February they unilaterally declared independence, I am afraid that we can be of no help in that regard. We want to hear them out, and we want to allow other people to hear them out, but we also want rules to be followed. I just think that that is the safest way forward.

I do stand behind the claim that the unilateral declaration of independence was an ethnically motivated attempt at secession. Yes, in the so-called parliament of Kosovo, they did have representatives of various ethnic groups, but I just want to remind Mr. Hyseni that there were a lot of Albanians who were part of the Government of Slobodan Milosevic, and I am not trying to make any claim that they were genuine representatives of the Albanian people.

**The President**: I thank Mr. Jeremić for his statement.

There are no further speakers inscribed on my list. The Security Council has therefore concluded the present stage of its consideration of the item on its agenda.

*The meeting rose at 6 p.m.*